

State of California
BOARD OF EQUALIZATION

CIGARETTE AND TOBACCO PRODUCTS TAX REGULATIONS

Regulation 4059. AUTHORIZATION FOR CREDIT PURCHASES.

Reference: Sections 30162, 30167, and 30169, Revenue and Taxation Code.

(a) Upon approval of a distributor's request to purchase tax stamps or meter register settings on the deferred payment basis, and receipt of the required security, the board shall give written authorization to the distributor for the amount of deferred payment purchases the distributor may have unpaid at any time.

(b) Before making deferred payment purchases of tax stamps and meter register settings, the distributor shall file an application to register the person authorized to order cigarette tax stamps on behalf of the distributor on a form approved by the board. The distributor shall identify and authorize in writing on the form the individual who may order purchases of stamps or meter register settings for this distributor's account and include the signature of the individual authorized to submit the tax stamp orders. If a distributor wishes to allow multiple individuals to submit cigarette tax stamp orders, a separate application form must be submitted for each individual. The distributor's authorization of such individual(s) shall continue in effect until written notice of revocation of the authority is delivered to the board by registered or certified mail or until written acknowledgment of receipt of the revocation is given by the board.

(c) Orders for stamps or meter register settings shall be made by the distributor on order forms approved by the board.

History: Adopted September 13, 1961.

Amended January 12, 1968.

Amended September 26, 2001, effective February 15, 2002. Replaced "bank branch office" with "designated location" throughout and removed gender-specific language. In subdivision (a), replaced "receipt of the completed application" with "approval of a distributor's request to purchase tax stamps or meter register settings on the deferred payment basis" and added "receipt of" before "the required security." In subdivision (b), replaced "indicia" with "stamps and meter register settings." In subdivision (c), replaced "digits to be set" with "settings."

Amended November 15, 2005, effective March 9, 2006. In subdivision (a), added "to the distributor" before "for the amount," and deleted "to the distributor and the designated location where such purchases are to be made" after "at any time." In subdivision (b), replaced "Cigarette Tax Signature Card" with "an application to register the person authorized to order cigarette stamps on behalf of the distributor on a form approved by the board." Deleted, "with each designated location where the distributor will make credit purchases" after "on a form approved by the board." Added new language to clarify "the distributor shall identify and authorize in writing on the form the individual who may order stamps or meter register settings for this distributor's account and include the signature of the individual authorized to submit the tax stamp orders. If a distributor wishes to allow multiple individuals to submit cigarette tax stamp orders, a separate application form must be submitted for each individual." Deleted "designated location" throughout. In subdivision (c), deleted "to the designated location" after "distributor."